

United States District Court  
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

V.

THEODORE STEVIE VARNER

## CRIMINAL COMPLAINT

Case Number:

10-MJ-398 JSM

I, the undersigned complainant, being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 22, 2010, in Ramsey County, in the State and District of Minnesota, defendant knowingly possessed, in and affecting interstate commerce, a .22 caliber handgun manufactured by d'Armes Pyrenees Hendaye Francaises in France, after having been convicted of a crime punishable by imprisonment for a term exceeding one year,

in violation of Title 18 , United States Code, Section(s) 922(g).

I further state that I am a Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

9/29/10

Date

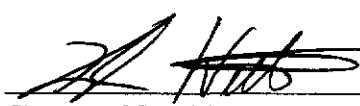
The Honorable Janie S. Mayeron  
UNITED STATES MAGISTRATE JUDGE


Name &amp; Title of Judicial Officer

at

St. Paul, MN

City and State

  
Signature of Complainant  
Kylie M. Williamson  
ATF

  
Signature of Judicial Officer

SCANNED

SEP 29 2010

U.S. DISTRICT COURT ST. PAUL

STATE OF MINNESOTA     )  
                                      ) ss.           **AFFIDAVIT OF KYLIE M. WILLIAMSON**  
COUNTY OF RAMSEY        )

I, Kylie M. Williamson, being duly sworn, depose and state as follows:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been so employed since August 2007. I was employed by ATF for two years prior to that as an Industry Operations Investigator. I am currently assigned to Saint Paul Group I and work with various law enforcement agencies and drug task forces throughout the State of Minnesota. My duties and responsibilities include conducting criminal investigations of individuals and organizations for possible violations of Federal laws, particularly those found in Titles 18, 21, and 26. I have participated in numerous investigations which resulted in the arrests, searches, seizures, and convictions of individuals.

2. This Affidavit is submitted in support of a Complaint against THEODORE STEVIE VARNER charging him with possession of a firearm by a convicted felon in violation of Title 18, United States Code, Section 922(g). The facts set forth in this Affidavit are based on my review of reports, my personal investigation, and discussions I have had with other law enforcement personnel.

3. On September 22, 2010, an individual called 911 in Ramsey County, Minnesota to report that a black male with braids, wearing blue jeans and a black or blue hoodie was in a specified apartment complex on Duluth Street in St. Paul. The caller reported that the

man had a black gun, possibly a .22. The caller agreed to meet with police near the location.

4. Several marked police vehicles proceeded to the apartment complex identified by the caller. When police arrived at the complex, officers saw an individual, later identified as VARNER, who matched the description given by the 911 caller. VARNER was a front seat passenger in a Ford Explorer. A uniformed police officer gave orders for the occupants of the Explorer to stop. The Explorer took off at a high rate of speed. Marked police cars followed in pursuit.

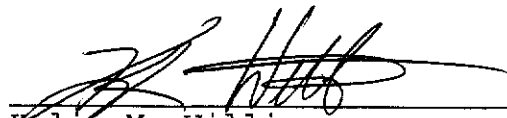
5. Approximately one block away, the Explorer stopped and VARNER exited the car running. Police continued to pursue VARNER. In an alley, VARNER tripped, got up, and kept running. When he tripped this first time, he dropped a cell phone case with a credit card inside. The credit card was in his name.

6. VARNER tripped a second time. An officer was running behind VARNER. The officer saw that when VARNER got up, a gun was lying on the ground in the spot where VARNER fell. The officer continued to follow VARNER, who was apprehended a short distance away. Officers went back to the second location where VARNER fell and seized a .22 caliber pistol, bearing serial number 464985, manufactured by d'Armes Pyrenees Hendaye Francaises in France.

7. On September 23, 2010, law enforcement officers went to VARNER's residence and interviewed a woman who identified herself

as VARNER's girlfriend. The girlfriend indicated that the gun the police found belonged to her. The girlfriend stated that VARNER had taken the gun the previous day from where she had hidden it. The girlfriend explained that VARNER took the gun because she was suicidal.

8. Prior to September 22, 2010, VARNER was a multi-convicted felon. More specifically, VARNER had been convicted of the following felony offences in Ramsey County on or about the dates indicated: (1) Robbery (1990); and (2) Third Degree Sale of Cocaine (1994).

  
Kylie M. Williamson  
Special Agent, ATF

Subscribed and sworn to before me  
this 29th day of September, 2010.

  
JANIE S. MAYERON  
UNITED STATES MAGISTRATE JUDGE